



U.S. Department of Justice

United States Attorney  
Southern District of New York

*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

January 26, 2022

**BY ECF**

Hon. P. Kevin Castel  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, New York 10007

Hon. Loretta A. Preska  
Senior United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, New York 10007

**Re: United States v. El Sayyid Nosair,  
S5 93 Cr. 181 (PKC)**

**El Sayyid Nosair v. United States,  
00 Civ. 8383 (LAP)**

Dear Judge Castel and Judge Preska,

The Government respectfully submits this letter in response to the defendant, El Sayyid Nosair's, motion dated January 19, 2022, and filed today in docket number 00 Civ. 8383 (LAP) (D.E. 64). Nosair seeks an "entry of default" with respect to his motion for a reduction of sentence pursuant to 18 U.S.C. § 3582(c)(1)(A). (Dkt. S5 93 Cr. 181 (PKC), D.E. 1205, 1206; Dkt. 00 Civ. 8383 (LAP), D.E. 60, 61) (the "Compassionate Release Motion").

On January 17, 1996, Nosair was sentenced by the Honorable Michael B. Mukasey, United States District Judge, to life imprisonment for Nosair's offenses arising out of his participation in plots to commit terrorist attacks against civilian targets in New York City, including the 1993 World Trade Center bombing; plots to attack the Lincoln and Holland Tunnels, the United Nations Building, and the FBI headquarters at 26 Federal Plaza; plots to commit various kidnappings and assassinations; and Nosair's murder of a former Israeli elected official at a public speaking event at a Midtown Manhattan hotel.

The defendant filed the Compassionate Release Motion on September 21, 2021, in both his criminal case (S5 93 Cr. 181, the "Criminal Docket") and in a closed docket relating to his prior petitions to vacate, correct, or set aside his convictions pursuant to 28 U.S.C. § 2255 (00 Civ. 8383, the "Habeas Docket"). *See* Habeas Docket, D.E. 48 (dismissing petition); 50 (denying reconsideration); 55 (mandate dismissing appeal); 59 (mandate denying motion to file second or successive petition). On October 7, 2021, Judge Castel entered an order directing the Government to respond to the Compassionate Release Motion by November 5, 2021 (Criminal Docket, D.E. 1208) and the Government timely filed its opposition. (Criminal Docket, D.E.

1211). A copy of the opposition was mailed to the defendant at USP Big Sandy and, according to tracking information from the U.S. Postal Service, the mailing was delivered to the institution's P.O. Box on November 15, 2021.


On November 23, 2021, Judge Preska entered an order directing the Government to respond to the Compassionate Release Motion by January 7, 2022. (Habeas Docket, D.E. 63). Shortly thereafter, the Government contacted chambers to alert the Court of the filings in the Criminal Docket.

Accordingly, the Government timely filed its response to the Compassionate Release Motion and the defendant's motion for default should be denied.

Respectfully submitted,

DAMIAN WILLIAMS  
United States Attorney

by:

  
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cc: El Sayyid Nosair  
USP Big Sandy (by mail)